

EXHIBIT 1

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

CRISTHIAN DIAZ,
on behalf of himself and all others similarly situated,

Plaintiff,

Case No: 16-cv-6349

v.

LOBEL'S OF NEW YORK, LLC,

Defendant.

DECLARATION OF CRISTHIAN DIAZ

I, CRISTHIAN DIAZ, under penalty of perjury, affirms as follows:

1. I am completely blind.
2. I cannot use a computer without the assistance of screen reading software.
3. I am familiar with both JAWS and NVDA.
4. I enjoy shopping and buying products online, such as food, clothes and gifts for friends and family.
5. I have attempted to purchase products on www.lobels.com on various occasions.
6. Since November 2016, I have visited www.lobels.com at least six times.
7. I cannot purchase products on www.lobels.com using JAWS or NVDA because the Website is not accessible via keyboard access.
8. The inaccessibility of the Website has deterred me from fully enjoying the goods and services offered on the Website.

9. As of today's date, I cannot access the search button on the homepage via the keyboard using JAWS or NVDA.

10. As of today's date, I cannot access the submenu options under the "Shop" menu option because the submenu options are not read by JAWS or NVDA.

11. As of today's date, I am unable to determine the price of USDA prime dry-aged boneless rib steak because the price is not read by JAWS or NVDA.

12. As of today's date, I am unable to adjust the quantity of the items on the Website because neither JAWS or NVDA is able to read the quantity.

13. As of today's date, I am unable to make a purchase because after selecting the "Proceed to Checkout" link from the shopping cart, the webpage opens a window that I cannot access via the keyboard using JAWS or NVDA.

14. As of today's date, I am unable to make a purchase because the blanks in the "Shipping Information" form is not read by JAWS or NVDA.

15. As of today's date, I am unable to understand Lobel's ADA policy because the policy information is not read by JAWS or NVDA.

16. I agree to act as a class representative.

17. I do not have any conflict with prospective class members.

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I affirm, under penalty of perjury, that the above and foregoing information is true
and correct.

Dated: Jan 17, 2018

Cristhian Diaz
CRISTHIAN DIAZ